

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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MARISOL CAMERO, et al.,

Plaintiffs,

-against-

THREE KIDS BAKING, INC., et al.,

Defendants.

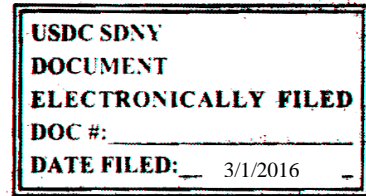
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SARAH NETBURN, United States Magistrate Judge.

TO THE HONORABLE JOHN G. KOELTL:

Plaintiffs Marisol Camero, Leo Catalan, Salvador Perez, Yoana Minor, Francisco Mejia, and Moises Mendez move to dismiss their claims without prejudice. These plaintiffs have declined to pursue their claims against the Defendants at this time and therefore request dismissal without prejudice. Plaintiffs' attorneys Michael Taubenfeld and Liane Fisher move to withdraw as counsel for plaintiff Amilso Casco because they have been unable to reach him for many months despite reasonable efforts. ECF No. 74. I recommend that the Court GRANT the motion to dismiss and the motion to withdraw.

Additionally, the Court instructs plaintiff Amilso Casco to contact the Court within 30 days of this order indicating whether he intends to move for default judgment or whether he requests that the Court dismiss his claims without prejudice to reasserting them at a later date within the statute of limitations. If Casco fails to contact the Court within the specified time, his case may be dismissed for failure to prosecute.




13-cv-07940 (JGK)(SN)

**REPORT AND
RECOMMENDATION**

Attorneys Taubenfeld and Fisher are instructed to mail this order to Casco at his last known address and to file proof of service.

SO ORDERED.


SARAH NETBURN
United States Magistrate Judge

DATED: New York, New York
March 1, 2016

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**NOTICE OF PROCEDURE FOR FILING OBJECTIONS
TO THIS REPORT AND RECOMMENDATION**

The parties shall have fourteen days from the service of this Report and Recommendation to file written objections pursuant to 28 U.S.C. § 636(b)(1) and Rule 72(b) of the Federal Rules of Civil Procedure. See also Fed. R. Civ. P. 6(a), (d) (adding three additional days when service is made under Fed. R. Civ. P. 5(b)(2)(C), (D), (E), or (F)). A party may respond to another party's objections within fourteen days after being served with a copy. Fed. R. Civ. P. 72(b)(2). Such objections shall be filed with the Clerk of the Court, with courtesy copies delivered to the chambers of the Honorable John G. Koeltl at the United States Courthouse, 500 Pearl Street, New York, New York 10007, and to any opposing parties. See 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 6(a), 6(d), 72(b). Any requests for an extension of time for filing objections must be addressed to Judge Koeltl. The failure to file these timely objections will result in a waiver of those objections for purposes of appeal. See 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 6(a), 6(d), 72(b); Thomas v. Arn, 474 U.S. 140 (1985).